

## RESOLUTION NO. 14-02

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF ST. LEO, FLORIDA PROVIDING SUPPORT FOR APPROVAL OF A LOCAL BILL WHICH AMENDS THE MUNICIPAL BOUNDARIES TO EXCLUDE APPROXIMATELY 174 ACRES FROM THE TOWN LIMITS; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of St. Leo, Florida, is a municipality created pursuant to a charter established by the legislature; and

WHEREAS, the Town of St. Leo, Florida, operates in conformance with its charter, the Florida Constitution and Florida Statutes; and

WHEREAS, residents of the Town generally located in the Lake Jovita subdivision have petitioned the Town to contract its boundaries in a way to exclude those residents from the Town; and

WHEREAS, it does not appear that the area in question qualifies for contraction pursuant to Section 171.051, Florida Statutes; and

WHEREAS, the Town Commission has determined that given the circumstances it is appropriate to request the legislature to pass a local law to accommodate the desires of these citizens.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF ST. LEO, FLORIDA, AS FOLLOWS:

1. Findings of Fact: The Town Commission hereby adopts the “whereas” clauses stated above as findings of fact in support of this Resolution.
2. Authority: This Resolution is adopted pursuant to the Town’s charter and Chapter 166, Florida Statutes.
3. Support Approval of Proposed Local Bill: The Town Commission by the approval of this resolution hereby authorizes and approves the submittal of the proposal local bill attached as Exhibit A to the legislature for enactment. Further, the Town Commission supports the adoption of this local bill.
4. Direction: The Town Clerk and/or the Town Attorney is directed to submit a copy of this resolution to the Pasco County Legislative Delegation as required by the Procedures for Adoption of Local Laws.
4. Severability: If any section, subsection, sentence, clause, provision or part of this Resolution is determined invalid for any reason by a court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect.

5. Effective Date: This Resolution 14-02 shall take effect immediately upon adoption by majority vote of the Town Commission and shall remain in effect until amended, rescinded or superseded by Resolution of the Town Commission or as otherwise dictated by Florida law.

The foregoing resolution was adopted by the Town of St. Leo Town Commission vote as follows:

John "Jack" Gardner, Mayor	<u>Absent</u>
Sister Donna DeWitt, O.S.B.	<u>Aye</u>
Brother James Hallett, O.S.B.	<u>Aye</u>
Robert Inslee	<u>Aye</u>
James Wells	<u>Aye</u>

DULY PASSED AND ADOPTED THIS 13 DAY OF Nov., 2014- 2013  
pm

ATTEST:

Joan Miller  
Joan Miller, MMC, Town Clerk

Robert Inslee  
Robert Inslee, Mayor ProTem

Approved as to form by:

Patricia Petruff  
Patricia Petruff, Esquire, Town Attorney

**A bill to be entitled**

**An act relating to the Town of St. Leo, Pasco County; contracting the corporate limits of the Town of St. Leo to exclude specified municipal lands within said corporate limits; providing an effective date.**

**Be It Enacted by the Legislature of the State of Florida:**

**Section 1. The present corporate limits of the Town of St. Leo, Pasco County, are hereby contracted so as to exclude the area particularly described as follows:**

**DESCRIPTION:**

ALL OF "LAKE JOVITA GOLF AND COUNTRY CLUB PHASE ONE - A", A SUBDIVISION OF A PORTION OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 24 SOUTH, RANGE 20 EAST AND A PORTION OF THE NORTH 1/2 OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 20 EAST AND A PORTION OF THE WEST 1/2 OF SECTION 6, TOWNSHIP 25 SOUTH, RANGE 21 EAST, AS SHOWN ON THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 37, PAGES 115-121 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; AND THOSE CERTAIN LANDS DESCRIBED IN OFFICIAL RECORD BOOK 5065, PAGE 1226 AND OFFICIAL RECORD BOOK 5067, PAGE 1476 RECORDED IN THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA.

**ALL BEING FURTHER DESCRIBED AS FOLLOWS:**

FOR A POINT OF BEGINNING COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 20 EAST, PASCO COUNTY, FLORIDA; THENCE N. 89°47'15" W., ALONG THE NORTH BOUNDARY OF THE NORTHEAST 1/4 OF SAID SECTION 1, A DISTANCE OF 1689.00 FEET; THENCE DEPARTING SAID LINE, N. 64°38'57" W., A DISTANCE OF 469.48 FEET; THENCE N. 46°14'10" W., A DISTANCE OF 60.00 FEET; THENCE 547.34 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST (SAID CURVE HAVING A RADIUS OF 670.00 FEET, DELTA ANGLE OF 46°48'23", AND A CHORD BEARING AND DISTANCE OF S. 67°10'02" W., 532.25 FEET) TO A POINT ON THE WEST BOUNDARY OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 24 SOUTH, RANGE 20 EAST; THENCE S. 00°18'16" W., ALONG SAID WEST BOUNDARY, A DISTANCE OF 32.43 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 1; THENCE S. 00°10'44" W., ALONG SAID WEST BOUNDARY, A DISTANCE OF 20.99 FEET TO A POINT ON THE SOUTHERLY MAINTAINED RIGHT-OF-WAY LINE OF DUNNE ROAD; THENCE N. 89°38'56" W., ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 530.00 FEET; THENCE S. 00°10'44" W., A DISTANCE OF 1412.62 FEET; THENCE S. 89°54'37" E., A DISTANCE OF 530.00 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST



1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1, THENCE S. 44°37'43" E.,  
 ALONG THE NORTHERLY LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST  
 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 1, A DISTANCE OF 639.42 FEET;  
 THENCE S. 89°36'24" E., A DISTANCE OF 1890.15 FEET; THENCE S. 00°22'41"  
 W., A DISTANCE OF 400.00 FEET; THENCE S. 89°36'24" E., A DISTANCE OF  
 1236.86 FEET; THENCE S. 00°22'33" W., A DISTANCE OF 1226.34 FEET; THENCE  
 N. 89°53'31" E., A DISTANCE OF 785.00 FEET; THENCE S. 00°06'29" E., A  
 DISTANCE OF 515.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE  
 OF STATE ROAD 52; THENCE N. 89°53'31" E., ALONG SAID RIGHT-OF-WAY  
 LINE, A DISTANCE OF 400.00 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY  
 LINE, N. 00°06'29" W., A DISTANCE OF 915.00 FEET; THENCE S. 89°53'31" W., A  
 DISTANCE OF 93.03 FEET; THENCE N. 01°47'48" E., A DISTANCE OF 26.63 FEET;  
 THENCE S. 88°43'37" W., A DISTANCE OF 150.68 FEET; THENCE 7.04 FEET  
 ALONG THE ARC OF A CURVE CONCAVE TO THE WEST (SAID CURVE  
 HAVING A RADIUS OF 275.00 FEET, DELTA ANGLE OF 01°28'03", AND A  
 CHORD BEARING AND DISTANCE OF N. 00°38'17" W., 7.04 FEET); THENCE S.  
 88°43'37" W., A DISTANCE OF 50.00 FEET; THENCE N. 01°16'23" W., A  
 DISTANCE OF 21.45 FEET; THENCE S. 88°43'37" W., A DISTANCE OF 155.36  
 FEET; THENCE N. 02°21'55" W., A DISTANCE OF 185.02 FEET; THENCE N.  
 85°15'56" W., A DISTANCE OF 269.46 FEET; THENCE N. 07°40'43" E., A  
 DISTANCE OF 139.06 FEET; THENCE N. 82°19'17" W., A DISTANCE OF 60.08  
 FEET; THENCE N. 07°40'43" E., A DISTANCE OF 200.00 FEET; THENCE N.  
 82°19'17" W., A DISTANCE OF 38.86 FEET; THENCE N. 00°22'33" E., A  
 DISTANCE OF 617.97 FEET; THENCE N. 29°22'55" E., A DISTANCE OF 148.92  
 FEET; THENCE 61.70 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE  
 NORTHEAST (SAID CURVE HAVING A RADIUS OF 60.00 FEET, DELTA ANGLE  
 OF 58°54'58", AND A CHORD BEARING AND DISTANCE OF N. 31°09'37" W.,  
 59.01 FEET); THENCE S. 76°30'26" W., A DISTANCE OF 288.11 FEET; THENCE S.  
 00°10'15" W., A DISTANCE OF 111.41 FEET; THENCE N. 89°36'24" W., A  
 DISTANCE OF 732.63 FEET; THENCE N. 76°28'35" E., A DISTANCE OF  
 90.06 FEET; THENCE N. 23°05'00" W., A DISTANCE OF 225.42 FEET; THENCE  
 364.73 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST  
 (SAID CURVE HAVING A RADIUS OF 630.00 FEET, DELTA ANGLE OF 33°10'15",  
 AND A CHORD BEARING AND DISTANCE OF S. 77°47'45" W., 359.66 FEET);  
 THENCE N. 85°37'07" W., A DISTANCE OF 12.93 FEET TO A POINT ON THE  
 WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 6; THENCE N.  
 00°22'41" E., ALONG SAID WEST BOUNDARY, A DISTANCE OF 1740.63 FEET  
 TO THE POINT OF BEGINNING.

SAID LAND CONTAINING 174.94 ACRES MORE OR LESS.

**Section 2.** On the effective date of this act, Pasco County shall be responsible for and embodied with all powers granted in Chapter 125, Florida Statutes, over the territory hereby excluded from the Town of St. Leo.

**Section 3.** The Area encompassed by this Act currently designated Low Density Residential will be designated RES-1 on the Future Land Use Maps of Pasco County the Area currently designated Permanently Open Land will be designated Conservation. The Town of St. Leo's Zoning Ordinance(s) will remain in full force and effect for the Area encompassed by this Act until the County adopts a zoning ordinance that includes the Area encompassed by this Act.

Section 4. Any Impact fees paid to the Town of St. Leo for the purpose of mitigating the impacts of the Area encompassed by this Act, and that have not previously been spent for this purpose by the Town of St. Leo or transferred to Pasco County, shall be transferred to Pasco County and utilized in the impact fee or mobility fee district that the Area encompassed by this Act is located in. Pasco County's required time period to budget, encumber or expend such fees shall commence on the date that such fees are transferred to Pasco County.

Section 5. Upon adoption of this Special Act the property subject to this Act shall no longer be subject to any laws, ordinances or regulations in force in the municipality from which it was excluded and shall no longer be entitled to the privileges and benefits accruing to the area within the municipal boundaries. It shall be subject to all laws, ordinances and regulations in force in Pasco County.

Section 6. Nothing in this chapter shall be construed to affect or abrogate the rights of parties to any contracts, whether the same be between the Town of St. Leo and a third party or between nongovernmental entities, which contracts are in effect prior to the effective date of this contraction.

**Section 7. This act shall take effect on \_\_\_\_\_, \_\_\_\_\_.**